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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

Billy Bailey and
Theta Bailey

Plaintiffs,

vs.

Pfizer, Inc., et al.

Defendants.

Bailey, et al. vs. Pfizer, Inc.

Case No.: **3:05-CV-04494-CRB**

MDL NO. 1699

District Judge: Charles R. Breyer

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

Come now the Plaintiffs, Billy Bailey and Theta Bailey, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

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2 DATED: January 2, 2009

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4 By: Roger L. DeMik
5 Roger L. DeMik, Esq.
6 Attorneys for Plaintiffs, Billy Bailey and Theta Bailey

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8 DATED: March 27, 2009 GORDON & REES

9
10 By: /s/
11 Stuart M. Gordon
12 Attorneys for Defendants

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14 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
15 **IT IS SO ORDERED.**

16
17 Dated: April 3, 2009

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19 CR
20 Hon. Charles R. Breyer
21 United States District Court